# STATE OF NEW HAMPSHIRE INTER-DEPARTMENT COMMUNICATION

DATE:

January 10, 2018

FROM:

Matt Urban

Wetlands Program Manager

AT (OFFICE):

Department of Transportation

**SUBJECT** 

Permit Amendment (DES#2017-01302)

Walpole-Charlestown, 14747

Bureau of Environment

TO

Gino Infascelli, Public Works Permitting Officer

New Hampshire Wetlands Bureau 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095

Forwarded herewith is an amendment request for the Walpole-Charlestown 14747 permit, (NHDES file #2017-01302). The need for this amendment is a result of Right of Way negotiations to include drive access at Sta. 2081+50 LT, the removal of a drainage swale at STA. 2122+00 to 2128+00 to avoid an archaeologically sensitive area, and a reduction of ROW drainage easement areas that went beyond ordinary high water to reduce impacts in the river.

Jacobs Engineering has prepared a memo, impact summary comparison, amended plans, and a revised ARM fund payment calculation summary to further explain this amendment request and to address some of the other questions/concerns that were brought up in regards to this proposed amendment. (See attachments).

Despite finding several opportunities to reduce impacts as noted above, there was still an overall increase of impacts primarily associated with the need to provide drive access with a break in guard rail which resulted in additional slope adjustments and impacts. The overall increase for the entire project is 8,550 sq. ft. (For specific impact changes/comparison see impact summary in the attachments). The Department is proposing to mitigate this additional impact by making a second payment into the ARM Fund in the amount of \$31,252.07. It should be noted that the adjusted slopes will be 4:1 at the driveway and will be covered with vegetation like the rest of the project along the river. It is not intended to be exposed rock.

A copy of Amended plan will be posted and can be accessed on the Departments website via the following link: <a href="http://www.nh.gov/dot/org/projectdevelopment/environment/units/program-management/wetland-applications.htm">http://www.nh.gov/dot/org/projectdevelopment/environment/units/program-management/wetland-applications.htm</a>

As this project has already met the \$10,000 application fee cap there will not be an additional application fee payment.

It should be noted that it is the Department's intent to pay the original ARM fund payment in the amount of \$1,287,621.45 once constructions funds are approved through the Governor and Council process. At that time we expect to receive the original permit with conditions as shown in the September 19<sup>th</sup> 2017 approval notice. We anticipate making the second mitigation payment once we know the amendment will be approved, at which time we would expect to receive the amended permit. By making the first mitigation payment and obtaining the original permit prior to the amendment approval it will enable the Department's contractor to start work within the limits of the original plans and permit in case the amendment approval process takes longer than expected.

The lead people to contact for this project are Don Lyford, Bureau of Highway Design (271-2171 or Donald.Lyford@dot.nh.gov) or Matt Urban, Wetlands Program Manager, Bureau of Environment (271-3226 or matt.urban@dot.nh.gov).

If and when this amendment meets with the approval of the Bureau, please send the amended permit directly to Matt Urban, Wetlands Program Manager, Bureau of Environment.

MRU:mru
cc:
BOE Original
Town of Walpole (via certified mail)
Town of Charlestown (via certified mail)
Richard Walling – President of Connecticut River Joint Commissions (via certified mail)
Edna Feighner, NH Division of Historic Resources
Bureau of Construction
Carol Henderson, NH Fish & Game (via electronic notification)
Maria Tur, US Fish & Wildlife (via electronic notification)
Mark Kern, US Environmental Protection Agency (via electronic notification)
Michael Hicks, US Army Corp of Engineers (via electronic notification)
Jonathan Evans, BOE (via electronic notification)
Don Lyford, NHDOT (via electronic notification)
S\Environment\PROJECTS\WALPOLE\14747\Wetlands\Application\AMEND1.doc



#### Memorandum

2 Executive Park Drive Bedford, New Hampshire 03110 T:603.666.7181 www.jacobs.com

Subject

Wetland Permit Amendment

Project Name

Walpole-Charlestown 14747

Summary

Reconstruction of NH 12

Attention

Ms. Samantha Fifield

From

Clinton Mercer

Date

December 28, 2017

Copy to

Margarete Baldwin (NHDOT); Jonathan Evans (NHDOT); Matt Urban (NHDOT); Matt

Lundstedt (CEI)

The purpose of this memorandum is to respond to comments from Gino Infascelli email on December 11, 2017. The comments are in response to Matt Urban email and Jacobs memo amending the original wetland permit. Below is a detailed response to the email.

Comment: The additional wetland impacts to maintain a driveway access appears to be
excessive considering this open water wetland is probably the highest value along the corridor. It
appears the additional work in wetlands can be reduced and limited to the areas immediately
adjacent to the existing gravel drive.

Response: The original design called for guardrail through this area, which limited the impacts to the adjacent wetland. However, the Parcel Owner, as well as several of the residents, requested that the Department allow for the continuation of the drive. The driveway is designed with maximum slope to limit impacts. To safely accommodate an opening in the guardrail for the drive, two EAGRT end units (and their corresponding platforms), must be installed. The purpose of the platforms is to increase the probability of driver and passenger survivability should a vehicle hit the end unit. The platform gives the vehicle a proper slope to travel on after impact to safely come to a stop. Without the platform, a vehicle may very well overturn, causing great injury to riders. However, given the sensitivity of the impacts, the alternative EAGRT platform (which has a minimized footprint) was used in this area. It isn't as safe as the full platform, however, it is a balance between providing safety and impacting the environment.

• Comment: The plans lack the required proposed contours.

Response: Proposed contours have been updated.

 Comment: Filling the area with stone also appears to be unnecessary as this is probably the most shallow slope along the corridor.

Response: Constructability is an issue here. The proposed slope will fill up to 5' deep in open water with a turbidity curtain. If embankment-in-place is used on this fill slope, dewatering would be required. Placing stone will reduce the construction duration within wetland and reduce the potential for turbidity issues during construction.

- Comment: It would be helpful to know which impact areas changed.
- Response: Attached is a chart identifying the original and amended impacts with the resulting change for each area modified.



## Memorandum

Wetland Permit Amendment Summary December 28, 2017

#### Wetland Impact Comparison

·							Pern	nanent Ir	npacts					-				
Amended Area	NHWE	3 (Non-W	etland)	N	HWB & A	CÓE							Γ	<del></del> -		1		
Labels	(SF)		(Wetland) (SF)		Left Bank (LF)		Channel (LF)		Right Bank (LF)									
	Original	<del></del>	Difference	<u> </u>		<u> </u>							NI,	I	Difference	rem	porary In	· —
Α	Oligillar		Dinterence	Cingiliar	Fameriaca	Difficience	Original	Amended	Difference	Onginal	Amended	DITTE TE TICE	Original	Amended	Difference	Original 9868	Amended	
В					<b></b>											12478	9826 12452	-42 -26
C	40883	40924	41				1224	1237	13				<del></del>	<del></del>		124/8	12452	-26
D				48396	48415	*19			1		<del></del>		1239	1239	0		<u> </u>	
F - Charlestown	16122	15880	-242		1		384	384	0		<del>                                     </del>		1233	1233			ļ	
G - Walpole				72100	71206	*-894				1475	1475	0		<del></del>			-	
G - Charlestown				7749	7698	*-51				258	258	ő	<del>                                     </del>	-				
H - Walpole					T									<del></del>		14584	14574	-10
L														<b>-</b>		1318	1342	24
М													-			1328	1291	-37
N	986	956	-30				87	87	0							1020	1231	-37
Х				9058	9059	1												
Y																1406	1357	-49
AA																4011	4084	73
AB				867	909	42							_				1007	
AD				2755	3496	741												
AE				1063	6439	5376					-				_	-		_
AF																2320	2266	-54
AG																420	305	-115
AH				114	1429	1315												
AI																2134	1574	-560
AJ				637	4159	3522										-		
AK																1454	1400	-54
AL				1077	1079	2												
AM																4149	4072	-77
AP				53	131	78				_	-							
AR																511	475	-36
AS		422	25													551	0	-551
AT	87	123	36				13	13	0									
AV	2420	2440	- 44				205									2292	2368	76
AW	2438	2449	11				206	206	0									
AZ				10724	18620	*-114				4704	150					17843	17775	-68
BA				18734 6444	3917	-2527				1724	1724	0						
BH			-	0444	331/	-232/												
BL Totals =			-184			8550			13			0				1450	2825	1375



## Memorandum

Wetland Permit Amendment Summary December 28, 2017

#### Revised ARM fund payment calculation

·		·		Wetland Impa	ete				
	1	Walpole		Wetianu impa	Charlestown	·	1	Total	
	Original	New	Change	Original	New	Change	Original	New	Channe
Permanent non-wetland	404.700	101 700					Oliginal	New	Change
impacts with stream impacts	104,728	104,769	41	43,594	43,369	-225	148,322	148,138	-184
Permanent wetland impacts with stream impacts (sf):	120,496	119,621	-875	27,183	27,018	-165	147,679	146,639	-1,040
Permanent wetland impacts without stream impacts (sf):	0	0	. 0	25,122	33,672	8,550	25,122	33,672	8,550
Difference between original ar reduces the increase of 8550SF v	vithout stream payment re	d impacts as sh impacts for an sulting in an in	overall incre	ase of 7510 SF.	However the	1040 SF reduc	tion is not counte	h stream impacts d in the ARM fund	7,510
Temporary Impacts (sf):	38,439	38,361	-78	63,097	63,044	-53	101,536	101,405	-131
Total Wetland/Non-wetland Impacts (sf):	263,663	262,751	-912	158,996	167,103	8,107	422,659	429,854	7,195
Total Wetland/Non Wetland impact (ac):	6.05	6.03	-0.02	3.65	3.84	0.19	9.70	9.87	0.17
				Character	<u> </u>				
Permanent impacts to left banks	1	Γ		Stream Impac	ts T	<del></del>			
(vegetated riprap)(If):	2,726	2,739	13	2,477	2,477	0	5,203	5,216	13
Permanent impacts to left banks (If):	0	0	0	57	57	0	57	57	0
Permanent impacts to right banks (vegetated riprap)(If):	0	0	0	0	0	0	0	0	0
Permanent impacts to right banks (If):	0	0	o	78	78	0	78	78	0
Permanent impacts to stream channel (vegetated riprap)(sf):	0	0	0	0	0	0	0	0	0
Permanent impacts to stream channel (If):	2,714	2,714	0	2,031	2,031	0	4,745	4,745	0
Total Stream impacts (vegetated riprap)(If):	2,726	2,739	13	2,477	2,477	0	5,203	5,216	13
Total Stream impacts (If):	2,714	2,714	0	2,166	2,166	0	4,880	4,880	0
.,	[2007-1-1]   10-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-		8.4 - 315	ADD:	-				
<u> </u>		Walpole	iviodif	ied ARM Fund I					
	Original	New	Change	Original	Charlestown New	Chanas	Order	Total	
Permanent Wetlands and Non- Vetlands	\$0.00	\$0.00	\$0.00	\$91,826.25	\$123,078.31	Change \$31,252.06	Original \$91,826.25	New \$123,078.31	Change \$31,252.0
Permanent Stream Impacts	\$665,038.56	\$665,038.56	\$0.00	\$530,756.64	\$530,756.64	\$0.00	\$1,195,795.20	\$1,195,795.20	\$0.00
otal	\$665,038.56	\$665,038.56	\$0.00	\$622,582.89	7330,730.07	90.00	71,133,733.20	1 41,130,730.20	\$0.00

# DES AQUATIC RESOURCE MITIGATION FUND WETLAND PAYMENT CALCULATION \*\*\*INSERT AMOUNTS IN YELLOW CELLS\*\*\*

	Convert square feet		es:
INSERT SQ FT OF IMPACT	Square feet of impact	8550.00	
		43560.00	
	Acres of impact =	0.1963	
			· · · · · · · · · · · · · · · · · · ·
	Determine acreage of		uction:
	Forested wetlands:	0.2944	
	Tidal wetlands:	0.5888	
	All other areas:	0.2944	
3	Wetland construction	cost:	-
	Forested wetlands:	\$25,451.01	
	Tidal Wetlands:	\$50,902.02	
	All other areas:	\$25,451.01	
4	Land acquisition cost		table):
NSERT LAND VALUE FROM TABLE WHICH	Town land value:	2012	
APPEARS TO THE LEFT.	Forested wetlands:	\$592.38	
Insert the amount do not	Tidal wetlands:	\$1,184.75	
copy and paste.)	All other areas:	\$592.38	
5	Construction + land c		
	Forested wetland:	\$26,043.39	
	Tidal wetlands:	\$52,086.78	
	All other areas:	\$26,043.39	
	DEC Administrative	4-	
	DES Administrative co		
	Forested wetlands:	\$5,208.68	
	Tidal wetlands:	\$10,417.36	
	All other areas:	\$5,208.68	
*****	TOTAL ARM PAYMEN	T********	
	Forested wetlands:	\$31,252.07	
	Tidal wetlands:	\$62,504.13	
	All other areas:	\$31,252.07	
		401,202.07	

					WETLAND						
						AR					
					PERMA	NENT IMPAC	TS				
WETLAND NUMBER	WETLAND CLASSIFICATION	LOCATION		N.H.W.B.	N.H.W.B. & A.C.O.E.	İ	BANK		TEMPORARY IMPACTS	COMMENTS	
				(NON-WETLAND)	(WETLAND)	LEFT	CHANNEL	RIGHT			
20	Pank	<u> </u>	Malasta	SF	SF	LF	LF	LF	SF		
1A	Bank R2UB3	B	Walpole		1	<del>                                     </del>			9826		
20			Walpole	ļ			<b>_</b>		12452		
1A	Bank R2UB3	D	Walpole	40924	10/15	1237		ļ	ļ		
2	R4SB3	E	Walpole Walpole	<del> </del>	48415		1239	ļ	400		
<del></del>	14000		Walpole	63845	-	1502	-	-	183	<del> </del>	
21 .	Bank	F	Charlestown	15880	-	384	<del>                                     </del>	<del> </del>	<u> </u>	<del></del>	
	-		Walpole		71206	- 307	1475	<del> </del>	<b>!</b>	· · · · · · · · · · · · · · · · · · ·	
1B	R2UB3	G	Charlestown	· · · · · · · · · · · · · · · · · · ·	7698		258	<del>                                      </del>			
45	DOL (D.O.	T	Walpole		•	-		1	14574	<del> </del>	
18	R2UB3	Н	Charlestown						2654		
4	R4SB3	1	Walpole						349		
5A	R4SB3	J	Walpole						278		
7A	R4SB3	К	Walpole						699		
21	Bank	L.	Charlestown						1342		
21	Bank	M	Charlestown						1291		
21	Bank	N	Charlestown	956		87			<u> </u>		
8	R4SB3	O P	Charlestown	<b>!</b>		<u> </u>		ļ	115		
10B	PFO/PSS1E		Charlestown				ļ		1455	ļ	
10A 10C	R4SB3 PFO/PSS1E	Q	Charlestown Charlestown	ļ	ļ	<del> </del>	<del>                                     </del>		579	<del> </del>	
12	R4S83	S	Charlestown		<b> </b>	-	<del>                                     </del>	<del> </del>	280 541	<del>                                     </del>	
12	R4SB3	Ť	Charlestown	<del>                                     </del>		<del></del> -	-		217	<del> </del>	
12	R4SB3	Ü	Charlestown		215	20	13	41		<del> </del>	
1E	PF01E	v	Charlestown			_ <del></del> -	<del>  .</del>	<del>                                     </del>	3344	<del> </del>	
1E	PF01E	w	Charlestown		111			<del>                                     </del>	<del> </del>	<del> </del>	
1E	PF01E	X	Charlestown	i	9059		1			<del> </del>	
1E	PF01E	Y	Charlestown						1357		
1C	POW	Z	Charlestown			·	ļ — — —	<del>                                     </del>	417		
1C	POW	AA	Charlestown			-			4084		
1C	POW	AB	Charlestown		909		Ī				
1E	PF01E	AC	Charlestown						32		
1C	POW	AD	Charlestown		3496						
1F	PSS1E	AE	Charlestown		6439						
1F 1G	PSS1E PSS1E	AF	Charlestown					ļ	2266		
1G	PSS1E PSS1E	AG AH	Charlestown Charlestown		1429				305		
1D	POW	Al	Charlestown		1425				1574		
1D	POW	AJ	Charlestown		4159				1374	· · · · · · · · · · · · · · · · · · ·	
1D	POW	AK	Charlestown		4,55		<del></del>		1400		
1D	POW	AL	Charlestown		1079						
11	PSS/PF01E	AM	Charlestown		-				4072		
11	PSS/PF01E	AN	Charlestown		41						
11	PSS/PF01E	AO	Charlestown		1828						
11	PSS/PF01E	AP	Charlestown		131						
11	PSS/PF01E	AQ	Charlestown		20						
22	Bank	AR	Charlestown						475		
N/A	N/A	AS	N/A							Not Used	
22 1A	Bank R2UB3	AT	Charlestown	123		13				ļ	
22	Bank	AU	Charlestown Charlestown						378		
22	Bank	AW	Charlestown	2449		206			2368		
22	Bank	AX	Charlestown	2445		200			651		
22	Bank	AY	Charlestown	6778		576			031		
1A	R2UB3	AZ	Charlestown			370			17775		
1A	R2UB3	BA	Charlestown		18620		1724				
13A	POW	BB	Charlestown						1096		
22	Bank	BC	Charlestown	8052	+	590					
22	Bank	BD	Charlestown	8791		553					
22	Bank	BE	Charlestown	340		68					
1J	PEM1E	BF	Charlestown						1305		
1J	PEM1E	BĞ	Charlestown		8						
1K	PF01E	BH	Charlestown		3917						
1K	PF01E	BI	Charlestown						2798		
15A 15A	R2UB3 R2UB3	BJ BK	Charlestown Charlestown		AOF	27	30		165		
1K	PF01E	BL	Charlestown		485	37	36	37	2825		
15B	PEM1E	BM	Charlestown						138	<del></del>	
15A	R2UB3	BN	Charlestown	***	+				305		
15B	PEM1E	ВО	Charlestown						186		
17B	PEM1F	ВР	Charlestown						3805		
17B	PEM1F	BQ	Charlestown		155						
18A	PEM1E	BR	Charlestown						1372	. ***	
17D	POWH	BS	Charlestown						77		
17B	PEM1F	ВТ	Charlestown		891						
-											
UTAL IMPACTS	FOR WETLANDS A	ND SHO		5							
VETLAND IMPA	CTS		( <b>*</b> )			WALPOLE	CH	ARLESTOWN	TOTAL		
	PERMANENT N	ON-WET	LAND IMPACTS:	148138 5	SF.	104769		43369	148138		
•	PERMANE		LAND IMPACTS:	180311 8		119621		60690	180311		
		TEMPO	RARY IMPACTS:	101405 8	SF	38361		63044	101405		
		-	TOTAL IMPACTO:	420054.5	·	00075		,,,,,,,			
			TOTAL IMPACTS:	429854 S 9.87 A		262751 6.03		167103 3.84	429854 9.87		
	rs			9.0/ F	· · ·	0.03		3.04	9.67		
TREAM IMPACT					_			2534			
TREAM IMPACT	PERMANENT IM	PACTS 1	O LEFT BANKS:	5273 L	F	2739		2034	5273		
TREAM IMPACT	PERMANENT IMP	ACTS TO	RIGHT BANKS:	5273 L 78 L		2739 0		2534 78	5273 78		
TREAM IMPACT	PERMANENT IMP	ACTS TO			F						

AMENDED DECEMBER 2017
SUMMARY OF CHANGES:

- ROW NEGOTIATIONS: DRIVE ADDED AT STA. 2081+50, LT
- ARCHAEOLOGICALLY SENSITIVE AREA: REMOVED DRAINAGE SWALE FROM STA. 2122+00 TO 2128+00
- ROW: REDUCE DRAINAGE EASEMENTS IN RIVER TO ORDINARY HIGH WATER

CRITERIA FOR SHORELINE STA	REMENTS OF ENV-WT 404. BILIZATION
SIGN:	DATE:
WETLANDS DELINEATED BY WIL	LIAM KURIER. PHD. CWS
3Y:	DATE: <u>SUMMER</u> 2016
3Y:	DATE: SUMMER 2016
	DATE: SUMMER 2016
PLANS PREPARED BY:	
	COMPREHENSIVE
PLANS PREPARED BY:  JACOBS Two Executive Park Drive	
	COMPREHENSIVE

AMENDED DEC 2017

ST	ATE OF NEW HA	MPSHIRE	
DEPARTMENT OF T	RANSPORTATION . BU	REAU OF HIC	SHWAY DESIGN
WETLA	ND IMPACT	SUMI	MARY
DGN	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
			29













